

MEMO ENDORSED

E-MAIL ADDRESS
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BY HAND

April 25, 2008

Re: *City of Livonia Employees' Retirement System v. Wyeth, et al.*, 07 Civ. 10329 (S.D.N.Y.); *Staeher v. Essner, et al.*, 07 Civ. 10465 (S.D.N.Y.); *Herrera v. Wyeth, et al.*, 08 Civ. 01066 (D.N.J.)

The Honorable Richard J. Sullivan
United States District Court for the Southern District
of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Dear Judge Sullivan:

We represent defendants in the above-captioned actions. *City of Livonia Employees' Retirement System v. Wyeth, et al.*, 07 Civ. 10329 (S.D.N.Y.) ("*City of Livonia*") is a putative shareholder class action against Wyeth and several of its current and former employees. *Staeher v. Essner, et al.*, 07 Civ. 10465 (S.D.N.Y.) ("*Staeher*") is a derivative action against Wyeth and sixteen of its officers and directors. *Herrera v. Wyeth, et al.*, 08 Civ. 01066 (D.N.J.) ("*Herrera*") is an Employee Retirement Income Security Act action against Wyeth and several of its employees and savings plan committees. *City of Livonia* was filed in the United States District Court for the Southern District of New York on November 14, 2007, and assigned to Your Honor. *Staeher* was filed in the United States District Court for the Southern District of New York on November 20, 2007, and transferred to Your Honor as a related case on December 28, 2007. *Herrera* was filed in the United States District Court for the District of New Jersey on February 27, 2008.

Herrera arises out of the same set of alleged facts as *City of Livonia* and *Staeher*—statements purportedly made by Wyeth and its officers and directors in connection with the Phase III clinical trials of the New Drug Application for the drug Pristiq®. In addition, four of the named defendants in *Herrera*—Wyeth, Robert Essner, Bernard Poussot, and Kenneth J. Martin—are also named as defendants in *City of Livonia* and *Staeher*.

We thus respectfully request the Court's permission to file an agreed motion to transfer the *Herrera* action to the United States District Court for the Southern District of New York to be heard by Your Honor. We have contacted plaintiff's counsel in the *Herrera* action, and they agree with our request, as reflected by their counter-signature below. We

SIMPSON THACHER & BARTLETT LLP

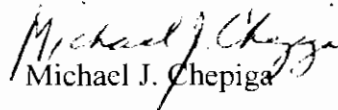
The Honorable Richard J. Sullivan

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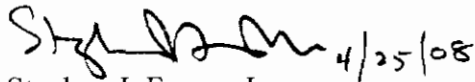
April 25, 2008

enclose, for the Court's convenience, a copy of the complaint in the *Herrera* action. Counsel for both defendants and plaintiff are available for a teleconference if the Court would like to discuss this matter.

Respectfully Submitted,


Michael J. Chepiga

AGREED TO BY:

 4/25/08

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Enclosures

The Court has no objection to the filing of a motion in the District of New Jersey to transfer the *Herrera* action to the Southern District of New York. However, the granting of such motion is entirely left to the discretion of the District Court in New Jersey.

SO ORDERED

Date:

4/29/08


RICHARD J. SULLIVAN
U.S.D.J.